

IFW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Frank H. Boehm, Jr. et al.

Docket: 1199-2 DIV CON

Serial No.: 10/798,145

Dated: July 14, 2004

Filed: March 11, 2004

For: DEVICE AND METHOD FOR
LUMBAR INTERBODY FUSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:


Pursuant to Applicants' duty of disclosure, the information listed in the attached Form PTO-1449 is brought to the attention of the Examiner.

The patents listed were previously cited and submitted in the parent application, namely, U.S. Appln. Serial No. 10/365,187 filed February 12, 2003, now U.S. Patent No. 6,730,126. In accordance with 37 C.F.R. §1.98(d) and 35 U.S.C. §120, copies of these patents can be obtained in the file of the above-identified parent application.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 14, 2004.

Dated: July 14, 2004


Paul J. Farrell

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

To the best of Applicants' knowledge, this Information Disclosure Statement is being filed before the date of mailing of a first Office Action in connection with this case.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over the typed name.

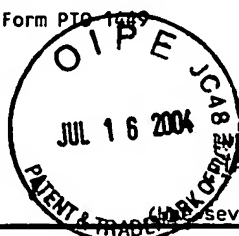
Paul J. Farrell

Reg. No. 33,494

Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484

Form PTO 1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
1199-2 DIV CONSERIAL NO.
10/798,145APPLICANTS
Frank H. Boehm, Jr. et al.FILING DATE
March 11, 2004GROUP ART UNIT
Not Yet AssignedINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Mark several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,811,449	5/1974	Gravlee et al.			
	5,015,247	5/1991	Michelson			
	5,522,899	6/1996	Michelson			
	5,609,635	3/1997	Michelson			
	5,665,122	9/1997	Kambin			
	5,782,832	7/1998	Larsen et al.			
	5,888,228	3/1999	Knothe et al.			
	5,984,967	11/1999	Zdeblick et al.			
	6,042,582	3/2000	Ray			
	6,063,121	5/2000	Xavier et al.			
	6,080,155	6/2000	Michelson			
	6,080,193	6/2000	Hochshuler et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 077 159	10/1982	EPO			X	
	0 712 607	5/1996	EPO			X	
	1 129 668	9/2001	EPO			X	
	1 153 574	11/2001	EPO			X	
	1 219 268	7/2002	EPO			X	

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

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(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,083,225	7/2000	Winslow et al.			
	6,096,038	8/2000	Michelson			
	6,113,602	9/2000	Sand			
	6,117,174	9/2000	Nolan			
	6,126,689	10/2000	Brett			
	6,129,763	10/2000	Chauvin et al.			
	6,197,033	3/2001	Haid, Jr. et al.			
	6,200,322	3/2001	Branch et al.			
	6,224,595	5/2001	Michelson			
	6,224,607	5/2001	Michelson			
	6,241,769	6/2001	Nicholson et al.			
	6,245,072	6/2001	Zdeblick et al.			

FOREIGN PATENT DOCUMENTS


	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	FR 98 10832	8/1998	France			X	
	DE 44 16 605	11/1994	Germany				X
	WO 96/27321	9/1996	PCT			X	
	WO 00/24326	5/2000	PCT			X	
	WO 00/35388	6/2000	PCT			X	

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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(Form PTO-1449 [6-4])

Form PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 1199-2 DIV CON		SERIAL NO. 10/798,145	
 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANTS Frank H. Boehm, Jr. et al.			
				FILING DATE March 11, 2004		GROUP ART UNIT Not Yet Assigned	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,375,655	4/2002	Zdeblick et al.			
	6,395,034	5/2002	Suddaby			
	6,419,705	7/2002	Erickson			
	6,436,098	8/2002	Michelson			
	6,436,142	8/2002	Paes et al.			
	6,454,807	9/2002	Jackson			
	6,527,734	3/2003	Cragg et al.			
	6,648,917	11/2003	Gerbec et al.			
	2002/0032483	3/2002	Nicholson et al.			
	2002/0077641	6/2002	Michelson			
	2002/0107574	8/2002	Boehm et al.			
	2002/0138146	9/2002	Jackson			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 00/42898	7/2000	PCT			X	
	WO 00/49977	8/2000	PCT			X	
	WO 00/61011	10/2000	PCT			X	
	WO 01/12080	2/2001	PCT			X	
	WO 02/067786	9/2002	PCT			X	

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